

July 14, 2004

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Second State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

Re: House Bill No. 2292, H.D.1, S.D.1

On July 13, 2004, House Bill No. 2292, entitled "Relating to Fees for Electronic Filing, Signing, Serving, Certification, and Verification of Court Documents" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill establishes that the State Supreme Court shall have the power to prescribe by rule, fees for electronic filing, signing, serving, certification, and verification of documents, and that those fees shall be deposited into the judiciary computer system special fund.

I support the general intent of this bill to provide funding for upgrading the judiciary information management system project to allow more efficient processing of documents through the judicial system. I have, however, a concern regarding this bill. The deposit of these new fees into the judiciary computer system special fund diverts funds that should, and would normally, be deposited into the State's general fund. This special fund already receives fees for traffic abstracts and fees for civil filings. I believe that funds to upgrade the judiciary's computer system should be appropriated through the normal budget process, subject to other State priorities, and the general fund expenditure ceiling. We must not allow this bill to be used as an unfortunate precedent for future removal of more funds from the normal budget review process.

Therefore, I allowed House Bill No. 2292, H.D.1, S.D.1 to become law as Act 230, effective July 13, 2004, without my signature.

Sincerely,

LINDA LINGLE